

VILLAGE OF COLD SPRING ZONING BOARD OF APPEALS
85 MAIN STREET, COLD SPRING NEW YORK 10516
PHONE (845) 265-3611
Workshop meeting

July 9, 2012

Members: Chairman; Donald Mac Donald, Greg Gunder, John Martin, Edward Murphy and Richard Turner

Also present were Paul Henderson, Beth Sigler, Fred Norgaard, Susan Peehl, Andrew Hall and Camille Linson; Peehl/Hall Attorney

D. Mac Donald opened the meeting at 7:12 P.M. by explaining the process of the meeting. He explained the following:

- The Board may not decide the decision at this meeting.
- At the end of the meeting the public can speak on anything they heard the Board members discuss.
- The Village Clerk contacted the Board of Mayors regarding the procedure of this appeal.
- Village Attorney, Steve Gaba, was previously asked to review the timeliness issue and just responded to the Board Friday, July 6, 2012.
- The Board can listen to comments but cannot take any more evidence.
- This case is the first of its kind for the Village and it is very contentious.
- The Board is trying to be as fair as they can to all parties involved.

D. Mac Donald noted that he did not call Mr. Lusardi regarding the 134-30 issue and apologized for not calling Mr. Lusardi.

Ms. Linson noted she felt she argued the points of the 134-30 enough.

Mr. Henderson noted the following:

- He had not received anything since the public hearing.
- Concerned over the Board not contacting Mr. Lusardi.
- Mr. Henderson noted he will be happy to contribute comments to the Village after the case has been decided.
- Mr. Henderson noted he could not be present at the first workshop meeting to review the case.
- Concerned about the village process regarding Boards and permits.
- Ms. Sigler noted she previously requested minutes and they did not receive minutes from the previous workshop meetings.

D. Mac Donald changed agenda to review outstanding minutes.

Ms. Linson asked that Mr. Lusardi be contacted regarding the 134-30.

Ms. Linson noted they agreed to close the public hearing if added supporting emails were included. They are not in agreement if documents are not included. Mr. Henderson believes that Mr. Lusardi would agree that anything submitted at the public hearing is not admissible. Mr. Norgaard noted the emails he submitted and copied were requested at the public hearing will be included in the submission and would rather argue the merits of the case.

D. Mac Donald noted the following:

- The file will be copied.
- An inventory of the whole file will be taken.

Correspondence:

- Bills from Drake Loeb Heller Kennedy, Gogerty, Gaba and Rodd, PLLC. In the amount of \$929.00 for work done in the Peehl/Hall appeal.
- Letter from Julia Fumularo dated July 10, 2012 regarding shed at 14 Stone St.

Minutes:

- The minutes of April 19, 2012 were reviewed and J. Martin moved to accept the minutes as presented and E. Murphy seconded the motion. The minutes were approved 5-0.
- The minutes of May 3, 2012 were reviewed R. Turner moved to approve the minutes as presented and G. Gunder seconded the motion. The minutes were approved 5-0.
- The minutes of May 10, 2012 were reviewed R. Turner moved to approve the minutes as amended and J. Martin seconded the motion. The revised minutes were approved 5-0.
- The Minutes of June 7, 2012 were reviewed. The Board will continue to review the minutes Friday, July 13, 2012.

The Board will meet Friday July 13, 2012 to continue the review of the June 7, 2012 minutes. The meeting adjourned at about 10:28 P.M.

Donald Mac Donald, Zoning Board of Appeals Chairman

Date